

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	No. 3:24-CR-46-TAV-JEM
ROBERT WISEMAN,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or recommendation as appropriate. This case is before the Court on Defendant Robert Wiseman's Unopposed Motion to Continue Plea Deadline and Trial [Doc. 19], filed on April 18, 2025.

Defendant asks to continue the May 20, 2025 trial date and plea deadline by approximately sixty days [Doc. 19 pp. 1–2]. In support of his motion, Defendant asserts that defense counsel and the Government are in good communication and need more time to continue working through the details of a potential agreement, which they hope would resolve both this matter and Defendant's supervised release violation [*Id.* ¶ 2]. Defendant states that the right to a speedy trial has been explained to him, and he understands that the time between filing this motion and a rescheduled trial date will be fully excludable for speedy trial purposes [*Id.* ¶ 4]. Finally, he represents that the Government does not oppose the requested continuance [*Id.* ¶ 5].

Based upon the information in Defendant's motion and because the Government does not oppose the continuance, the Court finds the ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

In making this determination, the Court has considered the factors set forth in 18 U.S.C. § 3161(h)(7)(B). Specifically, the Court concludes that not granting a continuance would both result in a miscarriage of justice and deny counsel for Defendant the reasonable time necessary for effective preparation, accounting for the exercise of due diligence. *See id.* § 3161(h)(7)(B)(i)–(iv). Defense counsel needs time to continue working with the Government to potentially resolve the matter, and if such efforts are not fruitful, otherwise prepare for trial. The Court finds that this cannot occur before the May 20, 2025 trial date.

The Court therefore **GRANTS** Defendant Robert Wiseman’s Unopposed Motion to Continue Plea Deadline and Trial [Doc. 19]. After consulting with both parties, the trial of this case is reset to **August 5, 2025**. A new, comprehensive, trial schedule is included below. Because the Court has found that the ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial, all of the time between the filing of the initial motion on April 18, 2025, and the new trial date is fully excludable time under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(1)(D), (h)(7)(A)–(B).


Accordingly, it is **ORDERED** as follows:

- (1) Defendant Robert Wiseman’s Unopposed Motion to Continue Plea Deadline and Trial [**Doc. 19**] is **GRANTED**;
- (2) the trial of this matter is reset to commence on **August 5, 2025, at 9:00 a.m.**, before the Honorable Thomas A. Varlan, United States District Judge;
- (3) all time between the filing of the motion on **April 18, 2025**, and the new trial date of **August 5, 2025**, is fully excludable time under the Speedy Trial Act for the reasons set forth herein;
- (4) the deadline for filing a plea agreement in the record and providing reciprocal discovery is **July 7, 2025**;
- (5) the deadline for filing motions *in limine* is **July 21, 2025**, and responses to motions *in limine* are due on or before **July 29, 2025**;

- (6) the parties are to appear before the undersigned for a final pretrial conference on **July 22, 2025, at 2:30 p.m.**; and
- (7) requests for special jury instructions with appropriate citations to authority pursuant to Local Rule 7.4 shall be filed on or before **July 25, 2025.**

IT IS SO ORDERED.

ENTER:


Jill E. McCook
United States Magistrate Judge